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PTO/SB/22 (10-04)

Approved for use through 07/31/2005. OMB 0651-0001
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | | |
|---|--|--------------------------|--|
| PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) | | Docket Number (Optional) | |
| FY 2005 (fees effective on or after October 1, 2004) | | 6004 000587-US | |
| Application Number 09/936,069 | | Filed 01/29/2002 | |
| For AUXETIC MATERIALS | | | |
| Art Unit 1771 | | Examiner COLE, ELIZABETH | |

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

| | Fee | Small Entity Fee | |
|--|--------|------------------|--------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$110 | \$66 | \$ |
| <input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$430 | \$215 | \$ 215 |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$980 | \$490 | \$ |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$1530 | \$765 | \$ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$2080 | \$1040 | \$ |

☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director has already been authorized to charge fees in this application to a Deposit Account.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number . I have enclosed a duplicate copy of this sheet.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/98).

☐ attorney or agent of record. Registration Number

☒ attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 34,937

Daniel W. Sullivan November 23, 2004
Signature Date

DANIEL W. SULLIVAN 401-273-4446
Typed or printed name Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22315-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22315-1450.

If you need assistance in completing the form, call 1-800-PTO-6188 and select option 2.

PAGE 7/7 * RCVD AT 11/22/2004 10:47:03 AM [Eastern Standard Time] * SVR:USPTO-EFXXF-1/1 * DNIS:3729306 * CSID:4012734447 * DURATION (mm-ss):02-10

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Applic. No. 09/936,069
Art Unit 1771**REMARKS*****Disposition of Claims***

Upon entry of the amendments herein, claims 33 and 35-42 will remain pending in the application and stand allowed. Claims 1-31 and 34 were canceled previously. Now, claims 43 and 44 have been canceled herein. It is understood that claims 43 and 44 have been canceled without prejudice or disclaimer of the subject matter contained therein. In addition, claims 32 and 45-62 have been withdrawn from consideration in response to a restriction requirement made earlier by the Examiner. Applicants reserve their right to file a divisional application to claims 1-32 and 43-62.

The outstanding Office Action states that claims 33 and 35-42 are allowed. In view of the non-allowed claims (1-32 and 43-62) being cancelled herein, it is believed that each of the Examiner's rejections and objections has been addressed. Accordingly, it is respectfully requested that the Examiner issue a Notice of Allowance indicating that claims 33 and 35-42 are allowed.

The Commissioner is hereby authorized to charge any additional fee required in connection with the filing of this paper or credit any overpayment to Deposit Account 02-0900.

Should there be any outstanding matter that needs to be resolved in the present application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Respectfully submitted,
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Date: NOVEMBER 22, 2004

Attachments: Petition For Extension Of Time